

Introduced by Senator Alarcon

February 18, 2005

An act to add Section 1255.25 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 499, as introduced, Alarcon. Hospitals: emergency medical services elimination.

Existing law generally requires any hospital that provides emergency medical services to, not later than 90 days prior to a planned reduction or elimination of the level of emergency medical services, provide notice of the intended change to the State Department of Health Services, the local government entity in charge of the provision of health services, and all health care service plans or other entities under contract with the hospital to provide services to enrollees of the plan or other entity. Violation of this requirement is a crime under existing law.

This bill would require a hospital, prior to issuing notice to the department of a planned elimination of emergency medical services or closure of the hospital, to prepare a public health and safety report, to submit that report to the county supervisors and the local emergency medical services agency, and to make the report available to the public. The bill would require the report to include an analysis of the estimated number of relocated patient visits, the effect on city and county emergency wait and trauma care time, diversion, the demographics of the affected area, economic stability of the hospital, and notice of any viable plan to preserve the hospital as a health care facility. By changing the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1255.25 is added to the Health and
2 Safety Code, to read:
3 1255.25. (a) Prior to issuing notice to the department
4 pursuant to Section 1255.1 of a planned elimination of
5 emergency medical services or closure of the hospital, a hospital
6 shall prepare a public health and safety report.
7 (b) The hospital shall submit the report to the county
8 supervisors and the local emergency medical services agency,
9 and make the report available to the public.
10 (c) The report shall include, but not be limited to, an analysis
11 of the following:
12 (1) Estimated number of relocated patient visits.
13 (2) Effect on city and county emergency wait and trauma care
14 time.
15 (3) Diversion.
16 (4) Demographics of the affected area.
17 (5) Economic stability of the hospital.
18 (6) Notice of any viable plan to preserve the hospital as a
19 health care facility.
20 (d) A county may use the results of the public health and
21 safety report in preparing the county's impact evaluation
22 pursuant to Section 1300.
23 (e) A hospital shall not seek approval for elimination of
24 emergency medical services prior to submitting the report as
25 required by subdivision (b).
26 SEC. 2. No reimbursement is required by this act pursuant to
27 Section 6 of Article XIII B of the California Constitution because
28 the only costs that may be incurred by a local agency or school
29 district will be incurred because this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the
2 penalty for a crime or infraction, within the meaning of Section
3 17556 of the Government Code, or changes the definition of a
4 crime within the meaning of Section 6 of Article XIII B of the
5 California Constitution.

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